

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40596 of 2014

Arising Out of PS.Case No. -27 Year- 2014 Thana -JALALGARH District- PURNIA

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Md. Manikuddin @ Manikuddin

.... Petitioner.

Versus

The State of Bihar

.... Opposite Party.

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Appearance :

For the Petitioner : Mr. Syed Mojibur Rahman, Advocate.

For the Opposite Party : Mr. Nazir Ansari(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 19-01-2015 Heard learned counsels for the petitioner and the State.

The petitioner is languishing in custody since 29.06.2014 in a case registered for the offences punishable under Sections 376, 420 and 120(B) of the Indian Penal Code.

It is alleged by the informant that on 02.04.2013 at 6.00 P.M. she went to ease out when this petitioner ravished her and thereafter on promise of marriage continued established physical relationship. The informant got pregnant and thereafter she gave birth to a male child but the petitioner did not marry.

It is submitted by learned counsel for the petitioner that for initial occurrence of 02.04.2013, complaint was filed on 23.12.2013 which

came to be registered as police case on 14.02.2014. The statement of the informant suggests that even assuming the accusation no offence under Section 376 of the I.P.C., is made out. A statement has been made in paragraph no. 3 of the petition that the petitioner has no criminal antecedent. This fact has not been controverted by learned A.P.P. that the Investigating Agency has not made any effort to get D.N.A. of the petitioner matched with the alleged child.

Considering the aforesaid facts, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M. Purnia, in connection with Complaint Case No. 4216 of 2013 (Jalalgarh P.S. Case No. 27 of 2014), G.R. No. 692 of 2014.

U.K./-

(Dinesh Kumar Singh, J)

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